

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

Kimberly Diesel, individually and on behalf of
all others similarly situated,

Plaintiff,

- against -

Mariani Packing Company, Inc.,

Defendant

4:22-cv-01368-AGF

MEMORANDUM IN RESPONSE TO COURT’S ORDER OF MAY 3, 2024

In Response to the Court’s Order of May 3, 2024, requesting that Plaintiffs provide Proposed Forms of Notice and a Proposed Notice Schedule, Plaintiffs attach as Exhibits A and B, respectively, the Plaintiffs’ Proposed Long Form Notice and Plaintiff’s Proposed Short Form Notice.¹ As to the Proposed Notice Schedule, Plaintiffs propose that the Notice Forms be disseminated as of June 10, 2024; and that a reporting of compliance with the Notice Program be due to the Court on or before September 10, 2024. Defendant generally agrees with the Proposed Notice Schedule, but has certain objections to the Proposed Forms of Notice that it will detail in its own subsequent filing. In the meantime, the parties will work to reach an agreement in respect thereto.

Dated: May 10, 2024

Respectfully submitted,

/s/ Daniel F. Harvath

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Counsel for the Class

¹ Certain minor edits may have to be made to these Proposed Forms before finalization and conveyance.

Certificate of Service

I certify that on May 11, 2024, I served and/or transmitted the foregoing by the method below to the persons or entities indicated, at their last known address of record (blank where not applicable).

	CM/ECF	First-Class Mail	Email	Fax
Defendant’s Counsel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plaintiff’s Counsel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Courtesy Copy to Court	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

/s/ Daniel Harvath